

Remarks:

Reconsideration of the application is requested.

Claims 17-20, 22, 24-28, and 30-35 remain in the application.

Claim 34 has been amended. Claims 1-16, 21, 23, and 29 have been cancelled. Claims 34-35 have been withdrawn from consideration.

Discussion regarding Claims 17-35

In item 3 on page 2 of the above-identified Office action, the Examiner stated that newly entered claims 34 and 35 are withdrawn from consideration as being directed to a non-elected invention.

In particular, the Examiner has stated that:

Newly submitted claims 34 and 35 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The product as claimed can be made by a materially different process such as one where the binder is not directly molded, i.e. foamed, on the thin-section wall part.

The Examiner's comments have been noted and claim 34 has been appropriately amended to mirror claim 1. Consequently, it is believed that the product, as claimed in claim 34, cannot be made by a materially different process, than that claimed in

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claim 1. The Examiner is therefore respectfully requested to reconsider the restriction requirement.

The above-noted changes to claim 34 are provided solely for the purpose of overcoming the restriction requirement. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claims for any reason related to the statutory requirements for a patent.

In item 5 on pages 2-3 of the Office action, claims 17-33 have been rejected as failing to comply with the written description requirement under 35 U.S.C. § 112, first paragraph.

More specifically, the Examiner has stated that:

Claim 17 requires "the reinforcing elements extending across and beyond the thin- section wall part overlapping the adjoining load-bearing part". It is unclear where in the specification it is disclosed that the reinforcing elements extend beyond the thin-section wall part and overlap an adjoining load-bearing part. Furthermore, it is unclear where in the specification it is disclosed that the thin-section wall part is adjoined to a load bearing part. Claim 21 requires "using reinforcing elements made of material other than renewable material". It is unclear where in the specification the use of reinforcing elements made of material other than renewable material is disclosed. Claim 24 requires "wherein the step of applying reinforcing elements to the thin-section wall part is performed to place the reinforcing elements being disposed in parallel with a longitudinal axis of the thin-section wall". It is unclear where in the specification it is disclosed the reinforcing elements are placed in parallel with the longitudinal axis of the

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thin-section wall. Claim 29 requires "using reinforced elements produced separately". It is unclear where in the specification it is disclosed that the reinforced elements are produced separately.

The last paragraph of MPEP § 2163 (8<sup>th</sup> ed) states:

While there is no *in haec verba* requirement, newly added claim limitations must be supported in the specification through express, implicit, or inherent disclosure.

The first sentence of MPEP § 2144 (8<sup>th</sup> edition) states that "[i]n considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the *inferences which one skilled in the art would reasonably be expected to draw therefrom.*" (emphasis added).

On page 22, lines 8-15, the instant application states:

a passenger vehicle door ... reproduced in Figs. 4a and 4b ... in the form of a rigid shell **covers over the fold** of the door opening over its full area - with the exception of the window region - and consequently the energy generated during impact (large arrow) is dissipated over a large area onto the entire door fold in the direction of the small arrows.

(Emphasis added.)

Fig. 1 of the drawings of the instant application is reproduced below:

Reinforcing elements extending across and beyond the thin-section wall part overlapping the adjoining load-bearing part.

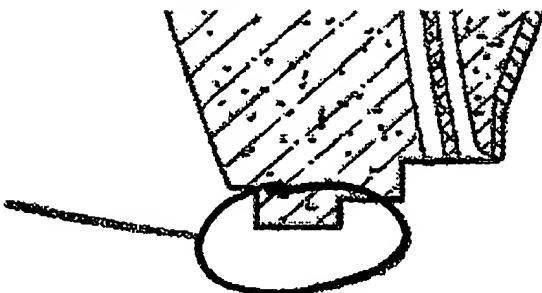


Fig. 1

Consequently, it is believed that there is sufficient disclosure in the instant application for the claim feature "reinforcing elements extending across and beyond the thin-section wall part overlapping the adjoining load-bearing part".

In order to expedite prosecution, claims 21, 23, and 29 have been cancelled.

In item 6 on page 3 of the Office action, claims 17-33 have been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

More specifically, the Examiner has stated that:

Claim 17 requires "the reinforcing elements extending across and beyond the thin-section wall part overlapping the adjoining load-bearing part". It is not clear from the specification what is required by overlapping the adjoining load-bearing part". Do the reinforcing elements merely contact the load-bearing part or are the reinforcing elements somehow embedded or attached to load-bearing part? Applicant is asked to clarify what

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is required by the claim. This issue should be clarified and reworded as appropriate.

The Examiner is directed to the discussion regarding the rejection under 35 U.S.C. § 112, first paragraph.

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, Counsel would appreciate a telephone call during which the matter may be resolved.

In item 14 on page 9 of the Office action, claims 17-33 have been held allowable, if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, set forth in this Office action.

For the reasons given above, it is therefore believed that claims 17-20, 22, 24-28, and 30-33 are allowable.

#### **Discussion regarding Claims 1-16**

In item 8 on page 4 of the Office action, claims 1-2 and 13-15 have been rejected as being obvious over Rutsch et al. (US 4,298,556) in view of Spehner (US 5,232,779) under 35 U.S.C. § 103.

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In item 9 on page 5 of the Office action, claims 3 and 11-12 have been rejected as being obvious over Rutsch et al. and Spehner in view of Preston (US 4,714,575) under 35 U.S.C. § 103.

In item 10 on page 6 of the Office action, claim 4 has been rejected as being obvious over Rutsch et al. and Spehner in view of Miyake et al. (US 5,354,397) under 35 U.S.C. § 103.

In item 11 on page 7 of the Office action, claims 5 and 6 have been rejected as being obvious over Rutsch et al. and Spehner in view of Applicant's Admitted Prior Art under 35 U.S.C. § 103.

In item 12 on page 8 of the Office action, claim 7 has been rejected as being obvious over Rutsch et al. and Spehner in view of Teubert (WO 94/09982) under 35 U.S.C. § 103.

In item 13 on page 8 of the Office action, claim 16 has been rejected as being obvious over Rutsch et al. and Spehner in view of Lim et al. (US 5,395,135) under 35 U.S.C. § 103.

The rejections and the Examiner's comments have been considered. In order to expedite prosecution, claims 1-16 have been cancelled.

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In view of the foregoing, the Examiner is requested to issue a  
Notice of Allowance.

If an extension of time is required, petition for extension is  
herewith made.

Please charge any fees that might be due with respect to  
Sections 1.16 and 1.17 to the Deposit Account of Lerner and  
Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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